GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TW Dept., – LTR – **Sri B.Yedukondalu, S/o Sathibabu,** R/o Pedabeempalli (V), Devipatnam (M), East Godavari District and Vedurupalli Venkatalaxmi, W/o Rambabu, Tantikonda (V), Gokavaram (M), East Godavari District - Revision Petition filed under the provisions of A.P.S.A.L.T.R.1959 as amended by 1/70 - Land admeasuring Ac. 3.65 cts in Sy.No.11, 100 (old) of Pedabeempalli (V), Devipatnam (M), East Godavari District – Dismissed - Orders - issued.

SOCIAL WELFARE (TW.LTR.2) DEPARTMENT

G.O.Ms.No.15 **Dated: 09.03.2022**

Read the following:-

1. LTR.No.153/2004, orders issued by the Special Deputy Collector, Rampachodavaram, East Godavari District, dated 30.12.2004 on the petition filed by Special Deputy Tahasildar, Devipatnam (M), East Godavari District.

2. C.M.A.No.8/2005, orders issued by the P.O., ITDA/Addl. Agent to Govt., Rampachodavaram, East Godavari District, dated 17.09.2005 on the appeal filed by Sri B.Yedukondalu, S/o Sathibabu & other, R/o Pedabeempalli (V), Devipatnam (M), East Godavari District.

3. Revision Petition filed by Sri B.Yedukondalu, S/o Sathibabu, R/o Pedabeempalli (V), Devipatnam (M), and Vedurupalli Venkatalaxmi, W/o Rambabu, Tantikonda (V), Gokavaram (M), East Godavari District , dt.20.12.2005.

4. Issued Govt.Memo.No.367/LTR-2/2006, dated. 23.04.2010.

5. From the P.O., ITDA, Rampachodavaram, East Godavari District, dated: 18.05.2010.

6. Issued Govt.Lr.No.15026/42/LTR-2/2018, dated.23.10.2013, 30.01.2019 and 09.07.2021.

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O R D E R:

1. In the reference 1st cited, the Special Deputy Tahsildar (TW), Devipatnam has filed a complaint before the Special Deputy Collector, Rampachodavaram, East Godavari District, under Section 3 (1) of the APSALTR 1 of 1959 as amended by Regulation 1 of 1970 for restoration of the Petition Scheduled land in favour of Government after ejecting the respondents in East Godavari District.

(P.T.O)

2. The said petition, the Special Deputy Collector, Rampachodavaram, East Godavari District have issued dismissal orders vide LTRP.No.153/2004, dated: 30.12.2004 on the complaint filed by the Special Deputy Tahasildar, Devipatnam (M), East Godavari District under section 3 (1) of the Andhra Pradesh State Area Land Transfer Regulation Act 1/1959, as amended by the Regulation 1 of 1970 for restoration of the Petition Scheduled land Acs. 3.65 cts of land in Sy.No.11, 100 (old) situated at Pedabeempalli (V), Devipatnam (M), East Godavari District from the non-tribal Respondent i.e. Sri B. Yedukondalu, S/o Sathibabu and Vedurupalli Venkatalaxmi.

3. Aggrieved by the above orders, Sri B.Yedukondalu, S/o Sathibabu R/o Pedabeempalli (V), Devipatnam (M) and Vedurupalli Venkatalaxmi, W/o Rambabu, Tantikonda (V), Gokavaram (M), East Godavari District have filed an appeal petition before the Project Officer, ITDA / Additional Agent to Government, Rampachodavaram, East Godavari District under Rule 8(2) of AP Scheduled Areas Land Transfer Rules 1/1969.

4. In the reference 2nd read above, the Project Officer, ITDA / Additional Agent to Government, Rampachodavaram, East Godavari District being the lower appellate authority in C.M.A.No. 8/2005, dated. 17.09.2005 has disallowed the appeal by upholding the orders of the Special Deputy Collector, Rampachodavaram, East Godavari District issued in LTRP.No.153/2004, dated:30.12.2004 and conformed the right of the Government over the land measuring Acs. 42.50 cts of land in R.S.No.59 situated of Donepalli (V), Gangavaram (M), East Godavari District.

5. In the reference 3rd read above, Sri B.Yedukondalu, S/o Sathibabu R/o Pedabeempalli (V), Devipatnam (M) and Vedurupalli Venkatalaxmi, W/o Rambabu, Tantikonda (V), Gokavaram (M), East Godavari District have filed a Revision Petition for the land located in Pedabeempalli (V), Devipatnam (M), East Godavari District to the land adm. Acs. 3.65 cts of land in Sy.No.11, 100 (old) of Pedabeempalli (V), Devipatnam (M), East Godavari District before the Government under the provisions of A.P.S.A.L.T.R., 1959 against the orders passed by the Project Officer, ITDA/Additional Agent to Government, Rampachodavaram, East Godavari District in CMA No.8/2005, dated. 17.09.2005 in the 2nd read above.

6. The Revision Petition filed by Sri B.Yedukondalu, S/o Sathibabu, Pedabeempalli (V), Devipatnam (M) and Vedurupalli Venkatalaxmi, W/o. Rambabu, Tantikonda (V), Gokavaram (M), East Godavari District, Government while admitting the same have called for parawise remarks along with connected case records from the P.O., ITDA, Rampachodavaram, East Godavari District in the reference 4th read above.

7. The Addl. Agent to Govt. (P.O., I.T.D.A.), Rampachodavaram, East Godavari District has furnished the parawise remarks along with connected case records on 18.05.2010 in the reference 5th read above.

8. In the reference 6th read above, both the parties and their councils were called for the hearings. Accordingly, hearings were conducted on 03.11.2018, 09.02.2019 and 24.07.2021. The Special Deputy Collector, Rampachodavaram and the Council for the petitioner have attended the hearing and upon perusing the records/ evidences/ grounds filed by the Revision Petitioners, the Appellant Authority have come to the conclusion and opined/ observed that:

- During the course of hearing of the case that the revision petitioner advanced arguments and on verification of the documents and the grounds of revision and Para wise remarks as well as the other documents and material available on the record it is noticed that lower primary authority and lower appellant authority observed that the revision petitioner failed to produce any document in support of his claim of possession of the land as per the regulations.
- It is observed that as seen from the record that the revision petitioner failed to produce any document in support of the claim of the revision petitioner and failed to discharge the burden as per regulations and further it is observed that the sale transaction was taken place after commencement of regulation between non-tribes.
- That taking consideration of the above and the material available on the record that it can be concluded that the lower primary authority and lower appellant authority passed the order as per law which does not deserve any interference and accordingly the same is hereby upheld and the revision petition is hereby dismissed.

9. After careful examination of the Revision Petition, Government in exercise of the powers u/s 3(2) (a) of APSALTR 1/59 as amended by 1/70 do hereby order for ejection of respondents from Petition Scheduled Land and for restoration of the same to the Government for on-ward assignment to the eligible tribes.

10. The Collector & District Magistrate, East Godavari District, Kakinada is requested to take necessary action in the matter accordingly and **acknowledge the receipt of the case records, which are returned herewith.**

11. This order shall be published in apgazette.cgg.in

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KANTILAL DANDE
SECRETARY TO GOVERNMENT

To
The Collector & District Magistrate, East Godavari District, Kakinada, PIN 533001. (w.e)
The Additional Agent to Govt. cum Project Officer, ITDA, Rampachodavaram, East Godavari District. PIN-533288
The Special Deputy Collector, Rampachodavaram, East Godavari District. PIN-533288.

The Tahsildar, Devipatnam (M), East Godavari District. PIN-533436

Sri Kola Satyaprasad, Advocate,
Rampachodavaram, East Godavari District - 533288

Sri B.Yedukondalu
S/o.Sathibabu R/o.Pedabeempalli (V),
Devipatnam (M) East Godavari District.

Smt Vedurupalli Venkatalaxmi
W/o. Rambabu R/o.Thantikonda(V),
Gokavaram (M) East Godavari District

The Director Printing, Stationary (for publication in the AP Gazette)

Copy to:

The P.S. to Hon'ble Dy. Chief Minister (TW)
The P.S. to Secretary (TW)
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER